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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,412	05/21/2001	Seth M. Demsey	MS160304.1/40062.100US01	8482

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/862,412

Applicant(s)

DEMSEY ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over MADANY (U.S. Patent 6,199,196).

As to claims 1 and 14, MADANY teaches a computer program product encoding a computer program for executing on a computer system a computer process for generating a customized library (output file / package) for execution of an application (program) by a client, the client including one or more client-loaded types (component stored on client), the computer process comprising: identifying one or more application-referenced types (required or needed component / dependent component) on which the application depends for execution; identifying one or more client-needed types (required or needed component / dependent component) required by the client to execute the application, based on the application-referenced types and the client-loaded types; and generating the customized library (creates a list / output file / package) including the one or more client-needed types (required or needed component / dependent component) (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67; col. 6, lines 1 - col. 7, line 3). It would be obvious to one of ordinary skill in the art that the created list / package is

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initially empty before the necessary components are added to the list as disclosed in MADANY.

As to claim 2, MADANY teaches the operation of generating a customized library comprises inserting only client-needed types into the customized library (required or needed component / dependent component) (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67).

As to claim 3, MADANY teaches the operation of generating a customized library comprises: inserting all client-needed types and all client-loaded types into the customized library (required or needed component / dependent component) (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67). It is obvious to one skilled in the art that all of the components to execute the class are sent as disclosed in MADANY when one does not care for wasting bandwidth.

As to claim 4, MADANY teaches the operation of identifying one or more application-referenced types comprises: identifying a version identifier of at least one of an application-referenced type and a client-needed type (via a list of file locations) (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67).

As to claims 5 and 6, MADANY teaches the operation of generating a customized library comprises: excluding from the customized library one or more non-

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identified types (locally stored component), each non-identified type being already loaded on the client or not being referenced by the application (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67; col. 6, lines 1 - col. 7, line 3).

As to claim 7, MADANY teaches the operation of identifying one or more application-referenced types comprises: examining the application (program) to identify one or more type references, each type reference being associated with an application-referenced type (component referenced by the application); and generating a dependency list (output file / list / package) identifying the one or more application-referenced types, based on the one or more type references (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67; col. 6, lines 1 - col. 7, line 3).

As to claim 8, MADANY teaches the operation of generating a dependency list comprises: recursively examining an application-referenced type to identify one or more additional type references (component references another dependent component) referenced by the application-referenced type; and adding the one or more additional type references (dependent components) to the dependency list (output file / list / package) (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67; col. 6, lines 1 - col. 7, line 3).

As to claims 9-13, MADANY teaches the operation of identifying one or more client-needed types comprises: identifying the one or more client-loaded types

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(determining that component is already locally stored); and generating a client composite list to identify the one or more client-needed types, the one or more client-needed types (needed component) including the one or more application-referenced types not loaded on the client (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67; col. 6, lines 1 - col. 7, line 3).

As to claim 15, MADANY teaches adding one or more global data fields (components / dependent components) of each needed class to the empty library, the global data fields being extracted from the class library store in the extracting operation (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67).

As to claim 16, MADANY teaches adding components of a needed class to the empty library (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67). It would be obvious to one skilled in the art that a method having a code body is a component of a class and therefore is extracted if needed as disclosed by MADANY.

As to claim 17, MADANY teaches the system extracts needed components to the empty library (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67). MADANY also teaches the invention can be practiced in other systems and programming environments (col. 9, lines 12-24). Official Notice is taken in that a metadata programming environment is well known in the art and therefore metadata would be extracted and placed in the empty library as disclosed by MADANY.

As to claim 18, MADANY teaches an application-referenced type includes a class (needed component) (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67).

As to claims 19-22, MADANY teaches an application-referenced type or a client-loaded type (needed components / referenced components) includes at least one of a method, a class, or a data field (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67).

As to claim 23, reference is made to a method that corresponds to the computer program product of claim 1 and is therefore met by the rejection of claim 1 above.

As to claims 24-33, reference is made to a system that corresponds to the program product of claims 1-22 and is therefore met by the rejection of claims 1-22 above.

As to claim 34, MADANY teaches a computer program product encoding a computer program for executing on a computer system a computer process for creating a customized library (output file / package) comprising: accessing a class library store (location of stored class file); identifying one or more needed classes (necessary classes / components of the classes); creating an empty library (creates a list); extracting the one or more needed classes (needed components) from the class library

store; and adding the one or more needed classes (needed components) to the empty library (list) to generate the customized library (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67; col. 6, line 1 – col. 7, line 3). It would be obvious to one of ordinary skill in the art that the created list / package is initially empty before the necessary components are added to the list as disclosed in MADANY.

As to claim 35, MADANY teaches receiving a composite list specifying the needed classes (col. 8, lines 56-67).

As to claim 36, MADANY teaches adding one or more global data fields (components / dependent components) of each needed class to the empty library, the global data fields being extracted from the class library store in the extracting operation (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67).

As to claim 37, MADANY teaches adding components of a needed class to the empty library (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67). It would be obvious to one skilled in the art that a method having a code body is a component of a class and therefore is extracted if needed as disclosed by MADANY.

As to claim 38, MADANY teaches the system extracts needed components to the empty library (col. 7, lines 10-49; col. 7, lines 60-16; col. 8, lines 56-67). MADANY also teaches the invention can be practiced in other systems and programming



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environments (col. 9, lines 12-24). Official Notice is taken in that a metadata programming environment is well known in the art and therefore metadata would be extracted and placed in the empty library as disclosed by MADANY.

As to claims 39 and 40, refer to claim 37 for rejection.

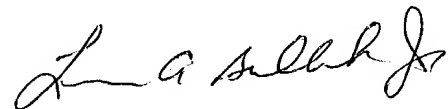
As to claim 41, reference is made to a method that corresponds to the program product of claim 34 and is therefore met by the rejection of claim 34 above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "L. A. Smith Jr.", is located to the right of the main text block.

6/14/04